

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

INTELLECTUAL VENTURES I LLC

and

INTELLECTUAL VENTURES II LLC

Plaintiffs,

vs.

BANK OF AMERICA, NATIONAL  
ASSOCIATION

Defendant.

Civil Action No. 3:13-cv-00358-RJC

Jury Trial Demanded

BANK OF AMERICA, NATIONAL  
ASSOCIATION

Counterclaimant,

vs.

INTELLECTUAL VENTURES I LLC

and

INTELLECTUAL VENTURES II LLC

Counterdefendants.

**SECOND DECLARATION OF NINA S. TALLON IN SUPPORT OF  
DEFENDANT'S MOTION TO DISMISS IV'S CLAIMS OF  
INDUCED AND CONTRIBUTORY INFRINGEMENT**

I, Nina S. Tallon, declare as follows:

1. I am a partner at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP, and counsel for Bank of America, National Association in the above-entitled action. I am licensed to practice law in the Commonwealth of Massachusetts and the District of Columbia. I am familiar

with the facts set forth herein, and if called as a witness, I could and would testify to those facts under oath.

2. Attached hereto as Exhibit 1 is a true and correct copy of the First Amended Counterclaim of Defendant Cygus Medical, LLC (Dkt. 32) in *Medtrica Solutions, Ltd. v. Cygnus Med., LLC*, No. 12-cv-538 (W.D. Wash).

3. Attached hereto as Exhibit 2 is a true and correct copy of the First Amended Complaint for Patent Infringement (Dkt. 21) in *Pacing Techs., LLC v. Garmin Int'l, Inc.*, No. 12-cv-1067 (S.D. Cal.).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed: October 21, 2013

/s/ Nina S. Tallon

Nina S. Tallon

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically on October 21, 2013. As such, this document was served on all counsel who are deemed to have consented to electronic service. Pursuant to Fed. R. Civ. P. 5(d), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by facsimile on this same date.

/s/ Nina S. Tallon

Nina S. Tallon